

16-1495 HAYS, KANSAS V. VOGT

DECISION BELOW: 844 F.3d 1235

LOWER COURT CASE NUMBER: 15-3266

QUESTION PRESENTED:

The Self-Incrimination Clause provides that “[n]o person * * * shall be compelled in any criminal case to be a witness against himself.” As the court below recognized, a "circuit split [has] developed" over whether certain pretrial uses of compelled statements force a person "to be a witness against himself" within the meaning of that provision. Pet. App. 6a. The question presented is:

Whether the Fifth Amendment is violated when statements are used at a probable cause hearing but not at a criminal trial.

CERT. GRANTED 9/28/2017